



12-22-04

DT07 Rec'd PGT/PTO 21 DEC 2004

PCT
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PATENT APPLICATION

10/502442

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent Application of:

Applicant: BRAUN, et al.

Application No.: 10/502,442

371 Submission Date: 22 JULY 2004

Title: **DIAGNOSTIC CONJUGATE
FOR INTRACELLULAR
IMAGING AND FOR
DIFFERENTIATING
BETWEEN TUMOR AND
NON-TUMOR CELLS**

) Docket No.: 4121-171

) Conf. No.: Unassigned

) Customer No.:

23448

EXPRESS MAIL CERTIFICATE

I hereby certify that I am mailing the attached documents to the Commissioner for Patents on the date specified, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 and Express Mailed under the provisions of 37 CFR 1.10

Joanna Joslyn
Joanna Joslyn

December 21, 2004

Date

EO 003 556 509 US

Express Mail Label Number

**RESPONSE TO OCTOBER 21, 2004 NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID
SEQUENCE DISCLOSURES IN U.S. PATENT APPLICATION NO. 10/502,442**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the October 21, 2004 Notice to Comply with Requirements in the above-identified application, enclosed herewith are:



- (1) a paper copy of the document entitled "171 Sequence Listing.ST25" ("Sequence Listing");
- (2) a computer readable copy of the Sequence Listing;
- (3) a statement under 37 C.F.R. §1.821 (f) for the Sequence Listing; and
- (4) a return copy of the October 21, 2004 Notice to Comply with Requirements for this application.

CONCLUSION

The enclosed sequence listings place the application in form for examination upon entry of same. Please charge any additional fee or amount properly payable in connection with this Response to File Missing Parts, to Deposit Account No. 08-3284 of Intellectual Property/Technology Law.

Respectfully submitted,

Marianne Fuierer
Registration No. 39,983
Attorney for Applicants

INTELLECTUAL PROPERTY/
TECHNOLOGY LAW
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IPTL File: 4121-171



UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO. 10/502,442	FIRST NAMED APPLICANT Klaus Braun	ATTY. DOCKET NO. 4121-171
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RECEIVED

OCT 26 2004

IPTL

INTERNATIONAL APPLICATION NO.

PCT/EP03/00609

I.A. FILING DATE 01/22/2003	PRIORITY DATE 01/22/2002
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Steven J Hultquist
 Intellectual Property/Technology Law
 P O Box 14329
 Research Triangle Park, NC 27709

CONFIRMATION NO. 3755

371 FORMALITIES LETTER



OC000000014152544

Date Mailed: 10/21/2004

NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c) and PCT Rule 5.2(a).
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e) and PCT Rule 13ter.1(a)(ii).
 - APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 305-6421

*Response
 due 12/21/04*

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/502,442	PCT/EP03/00609	4121-171

FORM PCT/DO/EO/922 (371 Formalities Notice)